



CITY COUNCIL AGENDA
Wednesday, July 5, 2017, at 7:00 p.m.
Springfield City Hall
170 North 3rd Street

CALL TO ORDER

- Public announcement that a copy of the Nebraska Open Meetings Law is posted in the entry to the meeting room
- Roll call
- Pledge of Allegiance

CONSENT AGENDA

All consent agenda items are approved in one motion unless removed by a Council Member. Removed items will be placed under the Regular Agenda for consideration and action by the Council.

1. Approve Minutes of the June 20, 2017 Council Meeting
2. Approve Minutes of the June 21, 2017 Council Budget Workshop Meeting
3. Approve Claims and Payroll
4. Approve Invoice No. 278898 from Olsson Associates in the amount of \$2,592.80 for professional services rendered from July 10, 2016, through June 10, 2017, for work completed on Springfield Municipal Water System Improvements

REGULAR AGENDA

1. Lt. Dennis Svoboda or Lt. Mark Topil with the Sarpy County Sheriff's Department will provide a monthly service report
2. **Tabled June 20, 2017.** Consider a bid from Kildow Construction in the amount of \$6,500.00 for nuisance abatement services at 485 South 2nd Street (Steve Zink, property owner)
3. Mike Beck, 920 North 2nd Street – Discuss fire hydrant obstruction on his property and letter from city referencing Springfield Municipal Code §7-105 Fires; Obstruction
4. Jackie Newcomb, 305 South 4th Street – One year temporary use permit for a third accessory structure at 305 South 4th Street for additional storage expires July 5, 2017
5. Conduct a **Public Hearing** to consider the following zoning amendments:

- a. Amendments to Section 5.24 “FF/FW Flood Plain Overlay District” of the Springfield Zoning Ordinance adding floodway fringe fill restrictions
 - b. Amendments to Section 4.14 “Accessory Building and Uses” of the Springfield Zoning Ordinance adding R92 Single Family Residential Zoning District to Subsection 4.14.10 maximum number of accessory structures allowed
 - c. Amendments to Section 4.07 “Lot” of the Springfield Zoning Ordinance allowing a property owner to occupy an existing structure while constructing a new structure on the same property with restrictions as identified
6. Consider approval of **Ordinance No. 961** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.24 “FF/FW FLOOD PLAIN OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
 7. Consider approval of **Ordinance No. 962** AN ORDINANCE TO AMEND ARTICLE 4 “GENERAL PROVISIONS”, SECTION 4.14 “ACCESSORY BUILDING AND USES” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
 8. Consider approval of **Ordinance No. 963** AN ORDINANCE TO AMEND ARTICLE 4 “GENERAL PROVISIONS”, SECTION 4.07 “LOT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
 9. Consider approval of **Resolution 2017-16** entering into an Agreement with Olsson Associates for professional services in association with Springfield Creek Sanitary Sewer Siphon Erosion Repair
 10. Discuss Heath Shemek’s annual review and consider a proposed merit increase
 11. Discuss Kent Maystrick’s annual review and consider a proposed merit increase

DEPARTMENT REPORTS

1. Sewer Department – Roy Swenson
2. Library & Community Building – Michael Herzog
3. Street Department – Chad Nolte
4. Water & Parks Department – Dan Craney
5. Mayor’s Report – Bob Roseland
6. City Staff Reports

The Mayor and City Council reserve the right to adjourn into executive session per Section 84-1410 of the Nebraska Revised Statutes.

ADJOURNMENT

MINUTES

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o'clock p.m. at City Hall on July 5, 2017. Present were Council Members: Roy Swenson, Michael Herzog, Chad Nolte, Dan Craney. Absent: Mayor Robert Roseland. Council President Roy Swenson presided as Mayor. Notice of this meeting was given in advance by posting in three public places, one of the designated methods of giving notice. Notice of this meeting was given in advance to the Mayor and all Council Members and a copy of their receipt of notice is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

Consent Agenda

Motion by Nolte, seconded by Herzog, to approve the Consent Agenda. AYES: Herzog, Nolte, Craney. NAYS: None. Motion carried.

Check #	Account ID	Account Description	Debit Amount	Name
General				
39193	6084-10-10	Aflac	119.36	Aflac
39198	9315-10-10	Storm 2017	180.00	Blankman Services
39259	9315-10-10	Storm 2017	720.61	Casey's General Store
39210	7205-10-10	Subscriptions	59.99	First National Bank
39260	7240-10-10	Mileage	130.33	Gottsch, Kathleen
39261	7185-10-10	Lodging	38.47	Henninger, Barb
39261	7240-10-10	Mileage	209.73	Henninger, Barb
39215	9315-10-10	Storm 2017	1,150.00	Home Pride Contractors
39216	7030-10-10	Prof Svcs-Planning	570.00	JEO Consulting Group
39270	8140-10-10	R&M Equip	63.53	Konica Minolta Business Solutions
39217	8140-10-10	R&M Equip	180.98	Konica Minolta Premier Finance
39218	9315-10-10	Storm 2017	396.50	Langfeldt Overhead Door
39221	8030-10-10	Supplies	5.00	Menards
39221	8130-10-10	R&M Building	9.40	Menards
39221	9315-10-10	Storm 2017	323.99	Menards
39223	9315-10-10	Storm 2017	177.23	Michael Todd & Company
39230	9315-10-10	Storm 2017	200.44	Mill Creek Auto Parts
39227	7320-10-10	Natural Gas	42.00	MUD
39232	9315-10-10	Storm 2017	114.48	Neitzel's Corner
39263	7330-10-10	Telephone	111.89	NT&T
39234	9315-10-10	Storm 2017	695.79	Office Depot
39236	7250-10-10	Publication Costs	27.47	Omaha World Herald
39237	7310-10-10	Electricity	287.70	OPPD
39240	7230-10-10	Postage/Shipping	20.68	Petty Cash
39229	9315-10-10	Storm 2017	480.13	Powerplan
39243	7046-10-10	Prof Svcs-Building Inspector	2,493.00	Sarpy County Building Inspector
39244	7060-10-10	Animal Control	372.24	Sarpy County Fiscal Administrator
39245	9155-10-10	GIS	2,244.00	Sarpy County Fiscal Administrator
39246	7050-10-10	Law Contract	8,396.00	Sarpy County Treasurer
39248	7020-10-10	Prof Svcs-Legal	1,085.00	Seidler & Seidler
39250	9315-10-10	Storm 2017	33.98	Ty's Outdoor Power & Service
39251	9315-10-10	Storm 2017	741.96	United Rentals
39255	7280-10-10	Laundry	98.52	Walkers Uniform Rental
Total			21,780.40	

Sales Tax				
39195	9088-15-10	Community Betterment	1,770.00	Artistic Sign & Design
39205	9089-15-10	Community Events	1,832.00	Construction Containers
39210	9089-15-10	Community Events	81.22	First National Bank
39221	9085-15-10	Capital Improvements	996.00	Menards
39240	9089-15-10	Community Events	6.14	Petty Cash
39257	9089-15-10	Community Events	3,000.00	Wild Willys Fireworks
Total			7,685.36	
Library				
39194	8060-20-10	Books	179.52	Amazon/SYNCB
39197	8060-20-10	Books	82.32	Baker & Taylor
39202	7455-20-10	IP Address	65.64	Charter Communications
39206	8060-20-10	Books	72.84	Davidsons Title
39212	8060-20-10	Books	64.30	Gardner Media
39224	8060-20-10	Books	80.99	MicroMarketing
39225	8060-20-10	Books	197.50	MidAmerica Books
39227	7320-20-10	Natural Gas	42.00	MUD
39263	7330-20-10	Telephone	48.06	NT&T
39237	7310-20-10	Electricity	252.51	OPPD
39239	8060-20-10	Books	249.12	Penworthy
39247	7480-20-10	Janitorial	200.00	Schmieder, Marcie
Total			1,534.80	
Library Restricted				
39209	8075-21-10	Program Fees	300.00	Amazing Arthur Entertainment
39194	8070-21-10	Library Supplies	38.88	Amazon/SYNCB
39201	8060-21-10	Books	86.88	Center Point Large Print
39207	8070-21-10	Library Supplies	25.18	Demco
39211	8060-21-10	Books	84.65	Gale
39233	8070-21-10	Library Supplies	72.14	Nobbies
39252	7350-21-10	Rental	70.00	Postmaster
39242	8070-21-10	Library Supplies	155.45	Quill Corporation
Total			833.18	
Park				
39196	8140-30-10	R&M Equip	30.00	B&B Garage
39204	8100-30-10	Sand & Gravel	315.00	Consolidated Concrete
39208	7350-30-10	Rental	95.00	Eagle Services
39221	8030-30-10	Supplies	18.50	Menards
39221	8130-30-10	R&M Building	58.48	Menards
39222	8160-30-10	R&M Grounds	70.11	Menards
39199	7350-30-10	Rental	30.00	Omaha Tractor
39237	7310-30-10	Electricity	692.14	OPPD
39238	9177-30-10	Splash Park	338.00	Outdoor Recreation Products
39241	7340-30-10	Waste Disposal	63.00	Premier Waste Solutions
39256	8100-30-10	Sand & Gravel	65.45	Western Sand & Gravel
Total			1,775.68	
Community Building				
39221	8030-40-10	Supplies	47.96	Menards
39227	7320-40-10	Natural Gas	42.00	MUD
39237	7310-40-10	Electricity	211.22	OPPD
39241	7340-40-10	Waste Disposal	36.00	Premier Waste Solutions
39255	7280-40-10	Laundry	134.00	Walkers Uniform Rental
Total			471.18	

Water				
39193	6084-50-20	Aflac	85.28	Aflac
39221	8130-50-20	R&M Building	48.71	Menards
39226	7420-50-20	Testing	45.36	Midwest Laboratories
39231	7420-50-20	Testing	18.00	NE Public Health Environmental Lab
39263	7330-50-20	Telephone	152.37	NT&T
39262	9090-50-20	New Well	2,592.80	Olsson Associates
39258	7430-50-20	Digger's Hotline	38.85	One Call Concepts
39237	7310-50-20	Electricity	1,000.74	OPPD
39289	7230-50-20	Postage/Shipping	117.13	US Postal Service
39254	7330-50-20	Telephone	15.21	Verizon Wireless
39254	7330-50-20	Telephone	15.21	Verizon Wireless
39255	7290-50-20	Uniform Allowance	48.72	Walkers Uniform Rental
Total			4,178.38	
Sewer				
39259	8030-60-30	Supplies	4.99	Casey's General Store
39220	8030-60-30	Supplies	47.43	Matheson Tri-Gas
39226	7420-60-30	Testing	191.50	Midwest Laboratories
39230	8030-60-30	Supplies	11.51	Mill Creek Auto Parts
39230	9040-60-30	Tools & Misc Equip	20.19	Mill Creek Auto Parts
39228	8140-60-30	R&M Equip	150.00	Municipal Service & Supply
39235	7010-60-30	Prof Svcs-Engineer	1,725.97	Olsson Associates
39237	7310-60-30	Electricity	2,468.88	OPPD
39248	7020-60-30	Prof Svcs-Legal	800.00	Seidler & Seidler
39249	8160-60-30	R&M Grounds	751.86	TREKK Design Group
39289	7230-60-30	Postage/Shipping	117.13	US Postal Service
39253	8030-60-30	Supplies	383.54	USA BlueBook
39253	9040-60-30	Tools & Misc Equip	527.64	USA BlueBook
39254	7330-60-30	Telephone	15.21	Verizon Wireless
39255	7290-60-30	Uniforms Allowance	48.84	Walkers Uniform Rental
Total			7,264.69	
Street				
39196	8140-70-40	R&M Equip	65.00	B&B Garage
39200	8030-70-40	Supplies	22.50	Carl Jarl Locksmiths
39259	8120-70-40	Fuel	112.42	Casey's General Store
39203	8215-70-40	R&M Streets & Alleys	1,876.00	Clean Sweep Commercial
39213	8030-70-40	Supplies	168.96	Gretna Ace Hardware
39214	8030-70-40	Supplies	13.67	Home Depot
39219	9015-70-40	Equipment Rental	242.00	Logan Contractors Supply
39221	8010-70-40	Office Supplies	8.75	Menards
39221	8030-70-40	Supplies	18.02	Menards
39221	9040-70-40	Tools & Misc Equip	23.93	Menards
39221	8040-70-40	Supplies-Safety/Medical	31.92	Menards
39221	9084-70-40	Sidewalk Repair	68.08	Menards
39221	8215-70-40	R&M Streets & Alleys	399.00	Menards
39223	8215-70-40	R&M Streets & Alleys	436.42	Michael Todd & Company
39227	7320-70-40	Natural Gas	91.75	MUD
39263	7330-70-40	Telephone	50.60	NT&T
39236	7250-70-40	Publication Costs	154.50	Omaha World Herald
39237	7310-70-40	Electricity	3,525.07	OPPD
39241	7340-70-40	Waste Disposal	36.00	Premier Waste Solutions
39250	8140-70-40	R&M Equip	66.27	Ty's Outdoor Power & Service
39255	7290-70-40	Uniform Allowance	46.50	Walkers Uniform Rental
Total			7,457.36	

Keno				
39200	9174-80-70	Keno CB Project	140.52	Carl Jarl Locksmiths
39221	9174-80-70	Keno CB Project	157.71	Menards
39222	9174-80-70	Keno CB Project	5.92	Menards
Total			304.15	
		Payroll & Payroll Taxes	46,981.32	
		VOYA Retirement ER	1,091.48	
		Medical Reimbursement	1,928.54	
		Water Deposit Refunds	1,350.00	

Regular Agenda

Agenda Item 1. Sgt. Wrigley with the Sarpy County Sheriff’s Department provided the monthly service report. He noted that the department received 120 calls for service within five minutes during the storm. He said that there were zero storm related thefts. The department had extra patrols in town during power outages. The department will continue traffic enforcement along Platteview Road. They are preparing for fair events.

Agenda Item 2. Nolte noted that Steve Zink, property owner of 485 South 2nd Street, has addressed all nuisance items as requested by the Council. Nolte said he will keep in contact with Zink if future nuisance items arise. Motion by Herzog, seconded by Nolte, to reject the bid from Kildow Construction in the amount of \$6,500 for nuisance abatement services at 485 South 2nd Street. AYES: Herzog, Nolte, Craney. NAYS: None. Motion carried.

Agenda Item 3. Mike Beck, 920 North 2nd Street, informed the Council that he has lived at his home for 25 years and the flowers around the fire hydrant have been there for 20 years. He noted that he asked the previous City Clerk if he could plant the flowers in that location and he was told that was acceptable. He said that he is willing to relocate the day lilies next spring. He will cut them back for now. Beck also reported that he has already removed the rocks. He understands safety concerns with fire fighters. He pointed out that the hydrant is sinking into the ground and needs to be raised up to avoid any future issues with the fire hose not attaching. Council noted that the city has plans to raise up several hydrants in town later this fall and next spring. Herzog explained why he brought this concern up to the city and referenced Springfield Municipal Code §7-105 Fires; Obstruction. Council was acceptable with Beck’s proposal.

Agenda Item 4. Council reviewed the minutes from the July 5, 2016 and December 20, 2016 Council meetings regarding Jackie Newcomb’s temporary use permit at 305 South 4th Street. Andie Ledenbach, Assistant City Clerk, reported that Newcomb contacted City Hall and reported that the third shed would be removed by July 15. Newcomb said she would provide the city with documentation from the hauling company. Council took no action on this item, but requested that an item be added to the July 18 Council agenda to commence with enforcement action if the shed is not removed before then.

Agenda Item 5. A Public Hearing of the Springfield City Council was opened at 7:16 p.m. to consider the following zoning amendments: (a) amendments to Section 5.24 “FF/FW Flood Plain Overlay District” of the Springfield Zoning Ordinance adding floodway fringe fill restrictions; (b) amendments to Section 4.14 “Accessory Building and Uses” of the Springfield Zoning Ordinance adding R92 Single Family Residential Zoning District to Subsection 4.14.10 maximum number of accessory structures allowed; and (c) amendments to Section 4.07 “Lot” of the Springfield Zoning Ordinance allowing a property owner to occupy an existing structure while constructing a new structure on the same property with restrictions as identified. No one from the public spoke in favor of or in opposition to the zoning amendments. Motion by Nolte, seconded by Herzog, to close the Public Hearing. AYES: Herzog, Nolte, Craney. NAYS: None. Public Hearing closed at 7:17 p.m.

Agenda Item 6. Council Member Nolte introduced Ordinance No. 961 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.24 “FF/FW FLOOD PLAIN OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Herzog seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Mayor then stated the question “Shall Ordinance No. 961 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 961

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.24 “FF/FW FLOOD PLAIN OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On June 13, 2017, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.24 of the zoning ordinance adding floodway fringe fill restrictions within the FF/FW Flood Plain Overlay District and reported a recommendation of approval to the City Council. On July 5, 2017, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed change to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 9.01 of the Springfield Zoning Ordinance, Section 5.24 is hereby amended to read as follows:

Section 5.24 FF/FW Flood Plain Overlay District

- C. Development Permit
 - 1. Permit Required

No person, firm or corporation shall initiate any floodplain development or substantial improvement or cause the same to be done without first obtaining a separate permit for development as defined in Section L.

2. Administration

- a. The City Administrator is hereby appointed to administer and implement the provisions of this ordinance.
- b. Duties of the City Administrator shall include, but not be limited to:
 - i. Review all development permit applications to assure that sites are reasonably safe from flooding and that the permit requirements of this ordinance have been satisfied.
 - ii. Review applications for proposed development to assure that all necessary permits have been obtained from those Federal, state or local governmental agencies from which prior approval is required.
 - iii. Notify adjacent communities and the Nebraska Natural Resources Commission prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 - iv. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
 - v. Verify, record and maintain record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures in special flood hazard areas.
 - vi. Verify, record and maintain record of the actual elevation (in relation to mean sea level) to which new or substantially improved structures have been floodproofed.
 - vii. When floodproofing is utilized for a particular structure the City Administrator shall be presented certification from a registered professional engineer or architect.
 - viii. Filling of the floodway fringe associated with new development within the Buffalo Creek, Springfield Creek, and Zwiebel Creek Watersheds shall be limited to 25% of the floodway fringe in the floodplain development application project area, unless approved mitigation measures are implemented. The remaining 75% of floodway fringe within the project area shall be designated as a floodway overlay zone. For significant redevelopment, these provisions may be modified or waived in whole or in part.

3. Application for Permit

To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:

- a. Identify and describe the development to be covered by the floodplain development permit.
- b. Describe the land on which the proposed development is to be done by lot, block, tract and house and street address, or similar description that will readily identify and definitely locate the proposed building or development.
- c. Indicate the use or occupancy for which the proposed development is intended.
- d. Be accompanied by plans and specifications for proposed construction.
- e. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.
- f. Give such other information as reasonably may be required by the City Administrator.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 5TH DAY OF JULY, 2017.

Presiding Mayor

(SEAL)

Attest:

City Clerk

Agenda Item 7. Council Member Nolte introduced Ordinance No. 962 entitled:

AN ORDINANCE TO AMEND ARTICLE 4 “GENERAL PROVISIONS”, SECTION 4.14 “ACCESSORY BUILDING AND USES” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Herzog seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Mayor then stated the question “Shall Ordinance No. 962 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in

the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 962

AN ORDINANCE TO AMEND ARTICLE 4 “GENERAL PROVISIONS”, SECTION 4.14 “ACCESSORY BUILDING AND USES” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On June 13, 2017, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 4.14 of the zoning ordinance adding the R92 Single Family Residential Zoning District to Subsection 4.14.10 restricting the maximum number of accessory structures allowed within certain zoning districts and reported a recommendation of approval to the City Council. On July 5, 2017, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed change to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 9.01 of the Springfield Zoning Ordinance, Section 4.14 is hereby amended to read as follows:

Section 4.14 Accessory Building and Uses

- 4.14.01 In the **R-92**, R-87, R-50, R-30 and RB Residential Districts, a maximum of two accessory structures shall be allowed
1. Detached garages shall count as one accessory structure, with a maximum allowable size of 720 square feet.
 2. Garden sheds shall count as one accessory structure, with a maximum allowable size of 144 square feet.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 5TH DAY OF JULY, 2017.

Mayor

(SEAL)

Attest:

City Clerk

Agenda Item 8. Council Member Nolte introduced Ordinance No. 963 entitled:

AN ORDINANCE TO AMEND ARTICLE 4 “GENERAL PROVISIONS”, SECTION 4.07 “LOT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Herzog seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Mayor then stated the question “Shall Ordinance No. 963 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 963

AN ORDINANCE TO AMEND ARTICLE 4 “GENERAL PROVISIONS”, SECTION 4.07 “LOT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On June 13, 2017, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 4.07 of the zoning ordinance allowing an existing structure to remain on a lot or lot of record as a temporary use while a new structure is being constructed, with restrictions as identified, and reported a recommendation of approval to the City Council. On July 5, 2017, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed change to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 9.01 of the Springfield Zoning Ordinance, Section 4.07 is hereby amended to read as follows:

Section 4.07 Accessory Building and Uses

- 4.07.01 Every building hereafter erected, reconstructed, converted, moved or structurally altered shall be located on a lot or lot of record and in no case shall there be more than one (1) principal building on a lot unless otherwise provided.
- 4.07.02 More than one principal building, of a single permitted use may be located upon a lot or tract in the following instances:

1. Institutional buildings
2. Public or semi-public buildings
1. Multiple-family dwellings
2. Commercial or industrial buildings
3. Home for the aged
4. Agricultural buildings

4.07.03 An existing structure is permitted to remain on a lot or lot of record as a temporary use while a new structure is being constructed so long as the following restrictions are met:

1. The existing structure shall have been constructed at least three (3) years prior to application.
2. The existing structure shall be removed entirely, including all footings removed and land filled in and regraded, from the lot or lot of record within six (6) months of receiving a certificate of occupancy for the new structure. If the existing structure is not removed within six (6) months, the property owner may request a one (1) time administrative extension of an additional six (6) months. Any extensions beyond one (1) year shall require City Council approval.
3. All utilities shall be disconnected from the existing structure within thirty (30) days of issuance of the certificate of occupancy on the new structure. The existing structure shall not be permitted to be occupied after this time.
4. A letter of credit shall be provided to the City of Springfield which will be applied to the removal of the existing structure. A demolition estimate from a qualified company shall be submitted to the city and the letter of credit shall be based upon that estimate.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 5TH DAY OF JULY, 2017.

Mayor

(SEAL)

Attest:

City Clerk

Agenda Item 9. Council Member Nolte introduced Resolution 2017-16 and moved its adoption. Council Member Herzog seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Herzog, Nolte, Craney. The following voted NAY: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2017-16**

BE IT RESOLVED by the Mayor and City Council of the City of Springfield, Nebraska as follows:

WHEREAS, the City of Springfield, Nebraska, a Municipal Corporation, and Olsson Associates, wish to enter into an Agreement for Professional Services for services rendered on Springfield Creek Sanitary Sewer Siphon Erosion Repairs; and

WHEREAS, professional services provided by Olsson Associates shall consist of topographic survey, erosion control and floodplain development permitting, wetlands and water of the US investigation, preliminary and final design, and bid phase services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the Agreement for Professional Services attached hereto as Exhibit "A".

Introduced and Passed this 5th day of July, 2017.

Ayes 3

Nays 0

Abstain 0

Absent 0

Approved:

Mayor

SEAL

Attest:

City Clerk

Agenda Items 10 and 11. Motion by Nolte, seconded by Herzog, to move agenda items 10 and 11, regarding Heath Shemek and Kent Maystrick's annual reviews, into executive session. AYES: Herzog, Nolte, Craney. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. No Department Report from Swenson.

Agenda Item 2. Herzog reported that the Community Building and Library incurred storm damage.

Agenda Item 3. Nolte reported that the tree debris piles would be removed by the end of next week. He noted that the city probably needs to rock the lot at Spruce and Railroad Streets because it is owned by the fair board and will be needed for VIP parking during fair events. He obtained a bid from Hughes Tree Service to grind and haul away the limb pile at 3rd and Poplar Streets.

Agenda Item 4. No Department Report from Craney.

Agenda Item 5. No Department Report from Mayor Roseland.

Agenda Item 6. No additional city staff reports.

Executive Session

Motion by Nolte, seconded by Herzog, to enter into executive session at 7:36 p.m. for the purpose of personnel discussion. AYES: Herzog, Nolte, Craney. NAYS: None. Motion carried.

Motion by Herzog, seconded by Nolte, to leave executive session at 7:47 p.m. AYES: Herzog, Nolte, Craney. NAYS: None. Motion carried.

Motion by Nolte, seconded by Herzog, to approve a 2% annual merit increase to Heath Shemek. AYES: Herzog, Nolte, Craney. NAYS: None. Motion carried.

Motion by Nolte, seconded by Herzog, to approve a 2% annual merit increase to Kent Maystrick. AYES: Herzog, Nolte, Craney. NAYS: None. Motion carried.

Adjournment

Motion by Herzog, seconded by Nolte, to adjourn. AYES: Herzog, Nolte, Craney. NAYS: None. Meeting adjourned at 7:49 p.m. Motion carried.

I, the undersigned, City Clerk for the City of Springfield, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on July 5, 2017; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kathleen Gottsch
City Clerk